

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

CASE NO.CR097-472P

Plaintiff,

PROPOSED FINDINGS OF  
FACT AND DETERMINATION  
AS TO ALLEGED VIOLATIONS  
OF SUPERVISED RELEASE

v.

OLSON CARVAJAL ODILAO,

Defendant.

INTRODUCTION

I conducted a hearing on alleged violations of supervised release in this case on August 9, 2005. The United States was represented by Kathryn K. Frierson, the Defendant was represented by Timothy Lohraff. The proceedings were recorded on disk.

CONVICTION AND SENTENCE

The Defendant had been convicted of Bank Robbery on or about July 15, 2003. The Hon. Marsha J. Pechman of this court sentenced the Defendant to 70 months of confinement, followed by 3 years of supervised release. The court also ordered special conditions for substance abuse, financial disclosure, mental health, and other conditions: No firearms; Sex offender registration; No new credit.

The conditions of supervised release included requirements that defendant comply with the standard 13 conditions.

1                   ALLEGED VIOLATIONS AND THE DEFENDANT'S ADMISSION

2           USPO Steven R. Gregoryk alleged that the Defendant violated the conditions of supervised  
3 release in 2 respects:

- 4           (1)     Using cocaine on or before July 5, 2005, and July 11, 2005, in violation of standard  
5                   condition #7; and  
6           (2)     Using marijuana on or before July 11, 2005, in violation of standard condition #7.

7  
8   At an initial hearing, I advised the Defendant of these charges and of his constitutional rights. At  
9 today's hearing the Defendant admitted the violations nos. 1 and 2, waived any hearing as to  
10 whether it occurred, this matter is set for a disposition hearing before the Hon. Marsha J. Pechman.

11  
12                   RECOMMENDED FINDINGS AND CONCLUSIONS

13           Based upon the foregoing, I recommend the court find that the Defendant has violated the  
14 conditions of his supervised release as alleged; and set the matter for a disposition hearing.

15           Defendant has been released pending a final determination by the court, but will be under  
16 electronic home monitoring.

17           DATED this 9<sup>th</sup> day of August, 2005.

18  
19  
20                                   s\ Monica J. Benton

21                                   MONICA J. BENTON  
22                                   United States Magistrate Judge

23 cc:   Sentencing Judge                 :     Hon. Marsha J. Pechmen  
24       Assistant U.S. Attorney         :     Katheryn K. Frierson  
25       Defense Attorney                :     Timothy Lohraff  
26       U. S. Probation Officer         :     Steven R. Gregoryk